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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 CHARLES HOPPER,

9 Plaintiff,

10 v.

11 PIERCE COUNTY SHERIFF,

12 Defendant.

Case No. C08-5696BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable J. Kelley Arnold, United States Magistrate Judge (Dkt. 9). The Court having considered the Report and Recommendation and the remaining record, does hereby find and order:

- (1) Plaintiff's copy of the Report and Recommendation was returned to the Clerk's office as undeliverable. Judge Arnold's previous order to show cause was also returned as undeliverable. Plaintiff has not cured the deficiencies in his complaint, nor has Plaintiff filed objections to the Report and Recommendation. As noted in the Report and Recommendation, it is the Plaintiff's obligation to keep the court apprised of his current address. *See Dkt. 9* (*citing Local Rule CR 41(b)(2)*).
- (2) The Court adopts the Report and Recommendation; and

1 (3) This action is **DISMISSED WITHOUT PREJUDICE** for failure to
2 prosecute.

3 DATED this 27th day of February, 2009.

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6 BENJAMIN H. SETTLE
7 United States District Judge

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